

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01362
Hon. David A. Faber

CABELL COUNTY COMMISSION,

Plaintiff,

v.

AMERISOURCEBERGEN DRUG
CORPORATION, et al.,

Defendants.

Civil Action No. 3:17-01665
Hon. David A. Faber

**DEFENDANTS' MOTION TO EXCLUDE EXPERT TESTIMONY FROM G.
CALEB ALEXANDER PURPORTING TO RELATE TO ABATEMENT COSTS AND
EFFORTS**

DEFENDANTS' MOTION TO EXCLUDE EXPERT TESTIMONY FROM G. CALEB ALEXANDER PURPORTING TO RELATE TO ABATEMENT COSTS AND EFFORTS

Defendants AmerisourceBergen Drug Corporation, McKesson Corporation, and Cardinal Health, Inc., respectfully move the Court under *Daubert v. Merrell Dow Pharmaceuticals*, 509 U.S. 579 (1993), and Federal Rule of Evidence 702, for an order excluding the opinions of Plaintiffs' purported expert on abatement costs and efforts, G. Caleb Alexander. For the reasons set forth more fully in the accompanying memorandum of law, Alexander's abatement plan fails to meet the *Daubert* requirement of reliability and fit because it is not tailored to the specific facts of this case and would therefore be unhelpful to the Court. As a result, Alexander's expert testimony should be excluded from trial in this matter.

Defendants incorporate by reference their Memorandum in Support, along with the exhibits attached hereto:

Exhibit	Description
*	<i>In re National Prescription Opiate Litigation</i> , ECF No. 2519 (N.D. Ohio Aug. 26, 2019)
A	G. Caleb Alexander Expert Report (Aug. 3, 2020)
B	G. Caleb Alexander Deposition Transcript (Sept. 18, 2020)
C	Christina Mullins, "A Public Health Emergency: West Virginia's Efforts to Curb the Opioid Crisis," Testimony to The House of Representatives Committee on Energy and Commerce Subcommittee on Oversight and Investigations (Jan. 14, 2020)
D	Letter from Christina Mullins to Chairman Pallone, Committee on Energy and Commerce (Oct. 18, 2029)
E	Excerpt from Deposition of George Barrett (Sept. 21, 2020)
F	Excerpt from Robert J. Rufus Expert Report (Aug. 27, 2020)
G	Excerpt from Deposition of Steve Williams (June 30, 2020)
H	City of Huntington Report of Grants, Contributions and Awards, 2013-Present
I	Excerpt from Deposition of Dr. David Chaffin (July 29, 2020)

J	Excerpt from Deposition of Deron Runyon (June 16, 2020)
K	Excerpt from Deposition of Beth Thompson (July 28, 2020)
L	Excerpt from Stephanie Colston Expert Report (Aug. 27, 2020)
M	Excerpt from Deposition of Judith Feinberg, M.D. (Sept. 2, 2020)

- Dated: October 2, 2020

Respectfully Submitted,

AmerisourceBergen Drug Corporation

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CERTIFICATE OF SERVICE

The undersigned counsel hereby certifies that on this 2nd day of October, the foregoing **Motion to Exclude the Expert Testimony of G. Caleb Alexander** was served using the Court's CM/ECF system, which will send notification of such filing to all counsel of record.

/s/ Gretchen M. Callas
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